# In The Matter Of:

TERESA HOOKS, ET AL. vs. CHRISTOPHER BREWER, ET AL.

TIM BURRIS
October 5, 2016

HAWTHORNE & WEBB COURT REPORTING
149 RIVER HILLS LANE
MACON, GEORGIA 31211

Original File TIM BURRIS.prn

Word Index included with this Min-U-Script®

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APPEARANCES:		[1]	STIPULATIONS:	
FOR THE PLAINTIFFS:	MR. G. BRIAN SPEARS G. Brian Spears, PC	[2]	MR. SPEARS: This will be the deposition	on of MR. TIM
	1126 Ponce de Leon Avenue N.E.	[3]	BURRIS and it's taken pursuant to notice a	nd agreemen
	Atlanta, Georgia 30306 bspears@mindspring.com	[4]	of counsel. The witness has reserved signa	ature.
	Dapear semindapi ing.com	[5]	We'll conduct this deposition with the s	ame
	MR. MITCHELL M. SHOOK	[6]	stipulations as the ones previously having t	o do with
	Salter, Shook & Tippett Post Office Drawer 300	[7]	the form of the question and the responsive	eness of the
	Vidalia, Georgia 30475 mitchshook@vidalialaw.cm	[8]	answer. Any other preliminaries, Tim?	
	mitchshook@vidallalaw.cm	[9]	MR. BUCKLEY: No. Thanks.	
EOD THE DEFENDANT.	ND TIMOTHY I DIGULDY III	[10]	MR. SPEARS: Mr. Burris, I'm Brian Sp	ears. I'll be
FOR THE DEFENDANT:	MR. TIMOTHY J. BUCKLEY, III Buckley Christopher	[11]	asking you a number of questions today. I	
	Suite 1010	[12]	whether you've had other experience with o	
	2970 Clairmont Road N.E. Atlanta, Georgia 30329	[13]	a format of being asked questions and givir	•
	tbuckley@bchlawpc.com	[14]	But, long story short, in a sense it's like in c	
ALSO PRESENT:	MS. TERESA HOOKS	[15]	because everything I ask you and then all of	
REPORTER'S NOTE:	Witness RESERVES reading and	[16]	responses are taken down.	<i>y</i> =
	signing of the document.	[17]	One difference is that you're as a wit	ness in a
		[18]	deposition you're given the opportunity to ta	
		[19]	at the deposition once it's transcribed. So	
	INDEX		an opportunity to do that in the wake of the	
CROSS EXAMINATION	5	[20]	We obviously are less formal than whe	•
BY MR. SPEARS		[21]	•	
DIRECT EXAMINATION	71	[22]	court. As a witness and technically, well, yo	
BY MR. BUCKLEY		[23]	the person being quote/unquote "tried" and	
RECROSS EXAMINATION BY MR. SPEARS	72	[24] [25]	like you have a specific attorney representing Obviously, Mr. Buckley will say something it	
		1		

CHR	ISTOPHER BREWER, ET AL.		October 5, 2010
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[1]	question has a form or responsiveness type of objection	[1]	Q Do you have a name for your company?
[2]	that he needs to make, and that's fine. But in general,	[2]	A Middle Georgia Investigations.
[3]	we'll be just kind of plowing ahead.	[3]	Q And the name of the other company or other person
[4]	If you could, let me know if there comes a point	[4]	you worked for
[5]	where I've asked you something and you either didn't	[5]	A Mike Wagner Investigations.
[6]	hear it or you really don't understand what I've asked,	[6]	Q Previously, you worked for the Laurens County
[7]	could you please let me know? Because that's how we can	[7]	Sheriff's Department?
[8]	be certain that once you respond that can be your, you	[8]	A Yes, sir.
[9]	know, your answer and not some kind of a	[9]	Q Can you give us an approximate start and end time
[10]	miscommunication between us.	[10]	for them?
[11]		[11]	A May of 2000 was my start month and my end month was
[12]	TIM BURRIS	[12]	December, 2014.
[13]	Witness having been first	[13]	Q During that period of time, did you ever serve on
[14]	duly sworn, testified on	[14]	the SRT?
[15]	CROSS EXAMINATION	[15]	A SRT? No, I did not.
[16]	BY MR. SPEARS:	[16]	Q Okay. Through that period of time, that number of
[17]	Q Please state your full name.	[17]	years, you worked with Investigations?
[18]	A Timothy Burris.	[18]	A I was never on General Investigations. I was with
[19]	Q And how are you employed at present?	[19]	the Drug Unit, which is an investigative unit.
[20]	A I currently am a private investigator for my own	[20]	Q Okay. How many years did you work with the Drug
[21]	company.	[21]	Investigative Unit?
[22]	Q And how long have you been self-employed?	[22]	A Approximately nine. I believe I went over there in
[23]	A Since January of 2014.	[23]	2005 to the Drug Unit. I transferred in 2005 to 2014.
[24]	Q And	[24]	Q I just want to have the nomenclature down right.
[25]	A January of 2015. I'm sorry.	[25]	Is it called the Drug Unit?
	Page 6		Page 8
[1]	Q Okay. That's fine. And if anything else, either	[1]	A Yes.
[2]	big or small comes up, and you want to correct a response,	[2]	Q Okay.
[3]	please let us know. Because obviously what brings us here is	[3]	A Well, I call it the Drug Unit. I don't know what
[4]	an incident and series of events that occurred culminating in	[4]	is on paper, now.
[5]	September of 2014.	[5]	Q Okay.
[6]	A 111 1 1 1 (67)	[6]	A Some people will call it the Task Force or the, you
[7]	Q So, let's see, do you have any employees?	[7]	know, whatever. The GBI, technically, I think they use the
[8]	A No, just me.	[8]	word Task Force. I've always called it the Drug Unit and I
[9]	Q Okay and where do you work out of?	[9]	believe that's what the majority of us call it. Now, what it
[10]	A My office.	[10]	is on paper, I'm not sure.
[11]	Q And what town is that in?	[11]	Q Okay. Since you used the phrase Task Force, I want
[12]	A Dudley, Georgia.	[12]	to be certain I understand how this unit that you worked with
[13]	Q Okay. Had you been in investigative work before	[13]	operated. I know that in some counties there'll be a
[14]	then in the kind of private sector?	[14]	multi
[15]	A Not in the private sector, no.	[15]	A Right.
[16]	Q You have a Pl's license and all that?	[16]	Q jurisdictional type of unit that comes together
[17]	A Ido.	[17]	
[18]	Q When did you get your PI license?	[18]	A Right.
[19]	A The beginning of 2015. I think it was official in	[19]	Q municipality along with county, that sort of
[20]	March. From like January to March, I was working some cases	[20]	thing?
[21]	for a private investigator out of Milledgeville under his	[21]	A Right.
[22]	license as an employee of his and	[22]	Q The drug unit that you worked with, was it
[23]	Q Sure.	[23]	exclusive to Laurens County?
[24]	A my license was official in March and that's when	[24]	A Exclusive to Laurens County, under the Laurens
[25]	my company officially began.	[25]	County Sheriff's Department.
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CHRISTOPHER BREWER, ET AL. Page 9 Page 11 Q Over the course of your work with the Drug Unit, depositions with the other people y'all have deposed [1] [1] you worked a case involving a Jeff Frazier. Correct? already? [2] [2] A I did. Q In a manner of speaking. [3] [3] [4] Q Okay. That culminated in his arrest, if I'm not [4] A Oh, I don't have a clue. Mistaken, in October of 2009? Q Okay. Have you been able to look over any of the **[51 [51** A That sounds right. materials that you prepared in connection with Jeff Frazier [6] [6] Q Okay. And that was a case where -- and please, and the investigation that pertained to him in advance of [7] [7] know we've been getting some number of documents and I'll today's deposition? T81 [8] show you some of those as we go along --A Very briefly and that was probably a month ago, or [9] [9] [10] A Right. [10] so, and it was just a matter of moments. Just a few minutes. Q -- but over the course of time you worked, you I was -- right before the -- this thing was scheduled about a [11] [11] prepared an operational plan and an investigator summary, [12] month or so ago, sometime. [12] [13] that type thing, in connection with Frazier case. Correct? [13] Q Yes, sir. [14] A Yes. A I got the paperwork, some of the reports at that **[14]** [15] Q In a manner of speaking, were you the main member [15] time, and looked through them briefly and was going to, that [16] of the Drug Unit who worked that case? [16] morning, get a little more intimate with it and then I got A Yes. I was the case agent on the Frazier case. the call saying it wasn't going to happen. And since then [17] [17] Q All right. And Chris Brewer was your supervisor? [18] I've been wide open. I haven't had a chance to stop and read [18] **[191** A Yes. **[191** through stuff. I was -- I worked -- matter of fact, I was Q In connection with the Garrett case, the Rodney out a lot last night. **[201** [20] Garrett case --Q Okay. **[211** [21] [22] A Uh-huh, (affirmative) [22] A So, was trying to get to sleep this morning but my Q -- prior to the afternoon of -- I'll give you a phone kept ringing. [23] [23] Q We'll try to keep moving along. specific date and let's see if it squares with what you [24] [24] A Yeah, that's fine with me. [25] remember. Prior to the afternoon of September 24th of 2014, **[25]** Page 10 Page 12 had you ever worked any case that involved Rodney Garrett? [1] Q Did you take a look at the summary that was [1] prepared by Special Agent Giddens or any of the other GBI [2] A Not to my knowledge. [2] Q Okay. And for purposes of my question now, I'll persons who interviewed you? [3]

- just explain it this way. When I refer to September 24th, I [4]
- refer to that as the date on which Garrett gets arrested for **[51**
- the theft associated with the Hooks' home --[6]
- A Right. [7]
- Q -- and then things get set in motion. Is that --**[81**
- [9] even if you don't remember the exact date, does that square,
- generally? [10]
- A Yes. Yes, I think so. [11]
- Q In getting oriented towards this deposition, have [12]
- you been able to get a sense of what we've covered with [13]
- Chris Brewer already? **[14]**
- A I don't understand what you're asking. [15]
- Q Well, we've taken his deposition --[16]
- [17] A Right.
- Q -- and taken the deposition of other deputies and [18]
- [19] like.
- A Right. [20]
- Q I just want to get a sense of what -- what's your [21]
- sense of what we've covered already and --[22]
- A I don't know. I haven't, I mean, I haven't spoken [23]
- to any of them. I'm not working there. I don't know. [24]
- [25] You're asking me what y'all have covered as far as

- [3]
- A I did. I did. I did briefly read through those. **[41**
- It was Giddens and --[5]
- Q Jones. I think was the other name. [6]
- Α Jerry. [7]
- Right. [8] Q
- [9] Jerry.
- Q I think -- I thought Jones is his last name. [10]
- A That don't sound right. [11]
- Q Okay. Well, what's important is what you're [12]
- telling us today on this incident. [13]
- A Right. I briefly read through those, yes. [14]
- Q Okay. And did you have a chance to look at any of [15]
- the photographs taken during --[16]
- A No. [17]
- Q -- this search of Garrett? Well, the -- I keep **[18]**
- [19] wanting to say Aviator -- the Navigator?
- MR. SHOOK: Aviator. [20]
- Q MR. SPEARS: Aviator? Okay. The Lincoln that [21]
- [22] Garrett stole.
- A The photographs? I haven't looked -- I haven't [23]
- seen any photographs. [24]
- Q Okay. Listen to any of the recordings of [25]

Case 3:16-cv-00023-DHB-BKE Document 83-1 Filed 05/25/17 Page 5 of 28 TERESA HOOKS, ET AL. vs. Page 13 Page 15 interviews? That type thing? purchasing or selling drugs? [1] [1] Not that I remember. A No. [2] [2] Q I'll have some of those that I may need to refer to [3] Q Okay. And Frazier, in a sort of capsulize it, as I [3] [4] them and possibly play some of it for you, just to get a feel [4] understand it, Frazier's claim was that he was bringing meth back from Atlanta and giving, I think his phrase was, "some for it. **[51 [51** ounces" to David Hooks? A Okay. [6] [6] Q Chris Brewer is, unless I'm mistaken, he was A Yeah, Yes, [7] [7] already with the Drug Unit when you joined --Q Jeff Frazier never, as you can recall, never T81 [8] A Uh-huh, (affirmative). informed you that David Hooks, himself, had ever given any [9] [9] Q -- when, I think you said 2004-2005? meth to any third party. Had he? [10] [10] A In '05, I think. Yeah, he had been in the Drug Not that I remember. [11] [11] Α Q And Frazier never informed you that David Hooks had Unit -- he had been on the Drug Unit for a long time. I [12] [12] think he had been on it since, like, '99 or something. ever sold any drug to anybody? [13] [13] A I don't remember the specifics of the date but I Q Okay. **[14] [14]** [15] A When I started at the sheriff's office, he was on [15] don't specifically remember that part. [16] the Drug Unit. He was -- by the time I come over, he was [16] Q Okay. And again, the sense I have is that once already the supervisor and remained the supervisor until, I Frazier's in custody, once he's been arrested in October of [17] [17] 2009, he starts talking about "There's this guy, there's that [18] assume, now. [18] [19] Q Have you ever had -- before September 24th of 2014, [19] guy." He's giving you names. Some people who he's claiming, had you, personally, ever had any contact with David Hooks? "I give -- I distribute meth to these folks." [20] [20] A No. A Yep. [21] [21] [22] Q Had you ever been to his house? [22] Q Right. And one of the names he mentions is David A I remember going out to his house one time for Hooks? [23] [23] something but I do not remember what it was for. I'm Α Right. [24] [24] But other than saying that he gives dope to David [25] thinking, I think we were looking for something else at the **[25]** Q Page 14 Page 16

> [1] Hooks, he doesn't give you any dates of actual delivery, does

A Not that I remember. No. [3]

Q And he doesn't give you any dates of alleged sales [4]

by David Hooks to other people, does he? [5]

[6] A I don't think so.

[2]

he?

[7] Q He doesn't give you any location at which he,

meaning Jeff Frazier, has been the location where he provided **F81** 

[9] to David Hooks any meth. Right?

Not that I remember. [10] Α

Q It's just the generalized statement. "I bring [11]

ounces back to David Hooks." Something along those lines? [12]

[13] Α Right.

MR. BUCKLEY: Object to the form of the question. [14]

Q MR. SPEARS: So in terms of David Hooks being a [15] distributor of meth and you investigating Frazier, Frazier's [16]

information is to the effect that he has delivered meth to [17]

Hooks, but unless there's more I need to hear from you, **[18]** 

Frazier's never reporting to you that Hooks has been involved **[19]** in distribution. Is he? [20]

[21]

MR. BUCKLEY: Same objection. You may answer. A THE WITNESS: I don't remember no specifics of that **[22]** 

being said. No. [23]

Q Frazier had been the subject of controlled buys [24] from Frazier to a certain subject or a person. I don't know

- time and somebody else. I do not remember. I don't -- it [1]
- [2] wasn't to deal specifically with him, I don't believe
- because I would have -- you know, when all this started [3]
- coming up on the night in question, I would have remembered [4]
- his name. I think we were looking for -- I want to say it **[51**
- [6] maybe had to do with somebody that owns that property across
- the pond, or something. I don't even know who owns it at [7]
- this time. And that may not be correct but, so, no. **[81**
- [9] Q Okay. So prior to September 24th, 2014, had you
- ever, to the best of your knowledge, have any information [10]
- come to you specific as to David Hooks and any relationship [11]
- between him and Rodney Garrett? [12]
- A Prior to the Frazier case is what you're asking? [13]
- Q Well, actually, my question was referencing **[14]**
- [15] September, 2014. And so you're welcome to answer by saying
- [16]
- [17] A I got information on Mr. Hooks --
- Q Okay. **[18]**
- A -- during the Frazier case. [19]
- Q All right. [20]
- A And to my knowledge, that was the first time I [21]
- received information on Mr. Hooks. [22]
- Q Other than from Frazier, did you, yourself, ever [23]
- [24] speak to anyone who claimed, based on their own experience,
- [25] that they knew of David Hooks being involved in either

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[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13] [14] [15] [16] [17] [18] [19] [20] [21] [22] [23] [24] [25]	the person's name in the reports. It just says "Subject #1."  A Right.  Q Do you recall that those controlled buys occurred over the course of nearly two months? Beginning in August until sometime in October?  A I know there was a duration there. Yes.  Q In upwards of eight or nine purchases?  A Right. There were several.  Q Yeah. I mean, he was a pretty busy boy.  A Yeah. A little more than normal.  Q Right.  A Right.  Q And before those controlled buys, there's Subject #1 who's he had some controlled money, if that's the right term. He's making purchases and then he's returning to you and the other investigators with the dope that he's bought?  A Yes.  Q During that period of time, of course the Subject #1 is closely monitored because Subject #1 is the person you're using to meet this guy, do the controlled buy, return to you, and that's a very carefully controlled process.  Correct?  A Correct.  Q During the course of any activity that you and back up for just a moment. In terms of contact with this	[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13] [14] [15] [16] [17] [18] [19] [20] [21] [22] [23] [24] [25]	then, it is the case, is it not, that there was nothing uncovered during the course of the investigation of Jeff Frazier prior to his arrest that signaled or indicated or in any way suggested that David Hooks had anything to do with Jeff Frazier?  A No.  Q Once the name David Hooks was mentioned by Jeff Frazier, once Frazier's now arrested in October of 2009, can you tell me what steps were undertaken to investigate David Hooks by yourself or any other member of the Drug Unit?  A I cannot. I doubt we did absolutely nothing. I mean, but I do not remember what was done at that time or by whom. I do not recall.  Q Was there a are you aware of there having been let me back up a second and ask it this way. I don't know whether to use the example of Frazier or not, but let me just go at it this way. When you as an investigator with the Drug Unit would get a report to the effect that there was someone who was involved in drug activity, is there a way in which you initiate an investigation? Do you open up a file of some kind or open up kind of a leads inquiry list or anything that would reflect that this new name is now a person of interest and you're going to start to gather information about them? Is there any process that we could look to that might have been initiated about David Hooks as of October of 2009
	Page 18		Page 20
[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13]	Subject #1, you and Chris Brewer, fair to say you're the main persons with the Drug Unit dealing with Subject #1?  A I know I was. I don't know if Brewer or another agent was with me during the majority of the buys. I don't remember.  Q Okay. Well, we can I'll try to touch on that in a bit. But you're the main person in contact with Subject #1?  A Yes.  Q During the course of the investigation that pertained to Jeff Frazier and your contact with Subject #1, did Subject #1 ever report to you that David Hooks had had any contact whatsoever with Jeff Frazier?	[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13]	that even if and I know you wouldn't have the records, but that might be around?  A Not that I can tell you right off. At that time, we initiated cases differently. I mean, it may be just to go and speak. It may be to talk to other people or whatever. Now, they're using a little bit more of a system now that we wasn't it using back then. So I don't as far as a file being opened or anything, I don't know that there was or wasn't.  Q And insofar as there being any steps that you're aware of to initiate any controlled sales possibly to David Hooks, you're not aware of that ever having taken place A No.
F 1 4 1	A Not that I remember	F141	O once Frazier was arrested?

A Not that I remember. [14]

Q Okay. During the course of the investigation of [15]

Frazier, the controlled buys were monitored and recorded, [16]

were they not? [17]

A Yes. [18]

[19] Q And my next question to you related is, during the

course of any of the recordings made that had to do with the [20]

controlled buys by Subject #1 from Frazier, over that span of [21]

time, was there ever any mention of David Hooks by Jeff [22]

Frazier? [23]

A Not once. [24]

[25] Q Insofar as the Jeff Frazier investigation goes

- ut

- le
- id
- [14] Q -- once Frazier was arrested?
- Uh-uh, (negative). [15]
- [16] Q Or any -- there wasn't any stakeout of Hooks'
- property? [17]
- A Not that I remember. [18]
- [19] Q Let me just try to define it just so you know when
- I use it, you know, an expression like stakeout, it means [20]
- [21] something. I know with respect to the Frazier investigation,
- [22] there were times when the controlled buys were going to take
- place and there had been a phone call between subject one and [23]
- Frazier. And, correct me if I'm wrong, but a stakeout would [24]
- [25] be set up that consisted of an investigator being positioned

[1]

[2]

[3]

**[41** 

**[51** 

[6]

[7]

[8]

[9]

[10]

**[111**]

**[12]** 

[13]

**[14]** [15]

[16]

[17]

[18] **[191** 

[20]

[21] [22]

[23]

[24]

**[25]** 

**[51** 

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[1]	at a point where they could be relatively close to Frazier's
[2]	home
[3]	A Yes.
[4]	Q such that they would know that he was about to
[5]	depart in response to the phone call that he had just had
[6]	with Subject #1? They could see when he left?  A Right.
[7]	
[8]	Q Someone would now where he was headed 'cause they were with Subject #1 and then they'd know when he would come
[9]	back?
[10]	A Right.
[12]	Q And among other things, the advantage of that kind
[13]	of observation is you could see where, at least in theory,
[14]	where on the property Frazier would go just before going to
[15]	sell the dope?
[16]	A Right. Right.
[17]	Q So you could see, one would hope, you could then
[18]	get a sense of where on the property he had any of the dope?
[19]	A Right.
[20]	Q Was any of that kind of observation, best of your
[21]	knowledge, ever done with respect to David Hooks?
[22]	A No.
[23]	Q Okay. Before the date of David Hooks' death, are
[24]	you aware of anyone ever reporting to either you or to other
	manufacture of the David Heit that any service Francisco
[25]	members of the Drug Unit that any source, Frazier or
[25]	members of the Drug Unit that any source, Frazier or
[25]	Page 22
	Page 22
[1]	Page 22 otherwise, claimed that they had been to David Hooks' home
[1]	Page 22
[1]	Page 22 otherwise, claimed that they had been to David Hooks' home and a drug transaction take place?
[1] [2] [3]	Page 22 otherwise, claimed that they had been to David Hooks' home and a drug transaction take place?  A I don't recall. No.
[1] [2] [3] [4]	Page 22 otherwise, claimed that they had been to David Hooks' home and a drug transaction take place?  A I don't recall. No.  Q Prior to David Hooks' death, are you aware of
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[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13] [14] [15] [16] [17]	otherwise, claimed that they had been to David Hooks' home and a drug transaction take place?  A I don't recall. No.  Q Prior to David Hooks' death, are you aware of anyone having, and this would include Garrett, having reported that they spoke, themselves, with David Hooks about engaging in a drug transaction?  A Not other than Frazier.  Q Did Frazier, himself, ever, and I understand that Frazier reported that he was  A Right.  Q distributing to Hooks. I'm not trying to take that away but in terms of  A I guess the answer to your question is Frazier is the only person that has given me information on David Hooks.  Q Right. Right. And again, I don't want to mischaracterize it, but his information to you about David Hooks didn't include a date of distribution to Hooks?  A No.
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[22]

[23]

[24]

[25]

A Not that I remember. No.

David Hooks drugs?

A Not that I know of.

Q Didn't include an allegation of where he had given

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- [1]
- [3]
- [4]
- [6]
- [7]
- **F81**
- [9]
- [10]
- [11]
- [12]
- **[13]**
- [14]
- dealings with drugs or persons doing drugs whatsoever? [15]
- A No. [16]
- MR. BUCKLEY: Let me interpose an objection to that [17] question, to the form. And to the extent necessary, I **[18]** move to strike the testimony since I couldn't object to **[19]**
- it before he answered. [20]
- Q MR. SPEARS: With respect to the information that [21]
- you were aware of that was received from Rodney Garrett; were [22]
- you aware of Garrett ever claiming that he had sold drugs to [23]
- Hooks? **[24]**
- A I specifically have no idea, at this point, what [25]

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[1]	Garrett said because he talked to Sergeant Brooks, Ryan	[1]	Exhibit Numbers 31, 32, and 33. If you could, just take a
[2]	Brooks, first and then Ryan called Chris Brewer, and then I	[2]	few moments, get a look at those, and I'll be asking you some
[3]	was basically the second agent with Chris Brewer because I	[3]	questions about them.
[4]	was, I was the one at the office at the time he got the call	[4]	A Okay.
[5]	and we rode down there. So as far as what all Garrett said,	[5]	Q Okay?
[6]	I couldn't tell you right now one thing he said or didn't	[6]	A Yes, sir.
[7]	say.	[7]	Q Exhibit 31, could you tell us please, whether you
[8]	Q In response to the call that Brewer received, you	[8]	recognize that as a photocopy of a photograph taken of the
[9]	and Brewer went out to the Garrett property. Correct?	[9]	rear of the Lincoln Aviator that when you went out to the
[10]	A I guess. We went out to some property. I don't	[10]	property and had contact with Garrett this was that
[11]	know whose it was. We went down to someplace where there was	[11]	vehicle?
[12]	a Aviator in the woods	[12]	A Appears to be, yeah.
[13]	Q Right.	[13]	Q If you could, take a look at Exhibit 32.
[14]	A that he said he had stole. I don't know whose	[14]	A Uh-huh, (affirmative).
[15]	property it was.	[15]	Q Do you recognize that as a photograph of the
[16]	Q Okay. For our purposes, that isn't the most	[16]	contents of the interior of that Lincoln Aviator once the
[17]	important thing right now.	[17]	passenger side front door was opened?
[18]	A Right.	[18]	A I guess so. I mean, I don't remember exactly what
[19]	Q I'm just trying to get what you can remember	[19]	the inside of it looked like but, I mean
[20]	A Yes, I understand.	[20]	Q Well, let me ask you this. We know that based on
[21]	Q about what happened. Now, you were aware that	[21]	the I think this might have an exhibit sticker somewhere
[22]	once you were out of going to the property are you	[22]	else but we know based on the receipt of property that
[23]	aware that Rodney Garrett was either already arrested or had	[23]	Chris Brewer drew up that included in the materials taken
[24]	been arrested?	[24]	from Rodney Garrett that were in the Lincoln Aviator were a
[25]	A Yeah. Him and Sergeant Brooks were there.	[25]	lockbox that contained certain items
	Page 26		Page 28
[1]	Q Oh, Brooks, right.	[1]	A Okay.
[2]	A Right.	[2]	Q and then, even though I don't have a photograph
[3]	Q Okay. And there was already a warrant out for	[3]	of it, the report also speaks in terms of seizing a couple of
[4]	Garrett's arrest anyhow?	[4]	firearms. With that said, does that help refresh your
[5]	MR. BUCKLEY: Object to the form.	[5]	recollection as to these photographs? And if so, does it
[6]	Q MR. SPEARS: Were you aware of that?	[6]	look like we're looking at photographs taken of the I'll
[7]	A I don't know.	[7]	just say the interior of the Aviator once you're there at the
[8]	Q But once you were out at the property where I	[8]	scene and able to get to the contents of that vehicle?
[9]	take it for the first time you're meeting Garrett there's	[9]	A I do remember the lockbox. It seems like we had a
[10]	this Lincoln and there's stuff inside it that gets	[10]	hard time finding the key for it or something.
[11]	A Yes.	[11]	Q You're right there.
[12]	Q seized? Right?	[12]	A I think we had a hard time finding the key. I do
[13]	A Yes.	[13]	remember the lockbox.
[14]	Q Okay. Let me ask you about that. See if I can get	[14]	Q Okay.
[15]	this figured out here. Number 32?	[15]	A So, yes.
[16]	COURT REPORTER: Thirty-one.	[16]	Q So the just to specify it, then, in Exhibit 33,
[17]	MR. SPEARS: Could I go ahead and get 32 and 33 if	[17]	there's a photograph of the lockbox that then is taken out of
[18]	I can?	[18]	the Lincoln and moved from there down to, I guess, well, to
[19]	COURT REPORTER: Yes, sir.	[19]	headquarters?
[20]	THE WITNESS: While we're doing this, can I ask, do	[20]	A I guess so.
[21]	we know about how long this is going to take?	[21]	Q Well, did you ever see the contents of that
[22]	<b>MR. SPEARS:</b> Can we go off the record for a minute?	[22]	lockbox?
[23]	(OFF THE RECORD)	[23]	MR. BUCKLEY: Ryan, he's saying he doesn't

[25]

[24] remember. He's not avoiding you.

MR. SPEARS: No, no, no, I'm not --

[24] (DOCUMENTS MARKED PLAINTIFF'S EXHIBITS 31, 32 AND 33.)

Q MR. SPEARS: I'm handing the witness three pages:

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Page 29 Page 31 MR. BUCKLEY: He's says, "I don't know." Then you Α Not that I know of. [1] [1] ask him again and he still doesn't know. Other than Garrett's version of how he came in [2] [2] A THE WITNESS: I mean, I don't know what was in the contact with the meth that was taken from Garrett's [3] [3] box or where it was taken to. I just remember we had a hard [4] possession when he was arrested, was there any other evidence Γ**4**1 time finding a key to it. or information that you were aware of on that night that the **[51 [51** Q Let me ask, out of an abundance of caution, given I meth that was found in Garrett's possession came from the [6] [6] know where I got these. Hooks' property? [7] [7] MR. SPEARS: Can we stipulate these are photographs A No. T81 [8] taken of the contents of the Lincoln Aviator once it was Q So it was just Garrett? [9] [9] out -- while it was still out at the Garrett property? MR. BUCKLEY: Object to the form of the question. **[10]** [10] MR. BUCKLEY: My hesitancy is on contents because MR. SPEARS: Garrett's the only source of that [11] [11] it's only showing what's in the front passenger side. I information? [12] [12] A To my knowledge. don't know if there was anything in the back or --[13] [13] MR. SPEARS: I'm not saying -- these are Q Although I realize you weren't out at the site of **[14] [14]** [15] photographs taken once the door's opened and this is [15] Garrett's arrest for very long, can you remember whether what's seen inside. I'm not saying this is everything [16] [16] there was any other bystanders? Whether they be family that was in the vehicle. members or even if you knew who they were, who ever claimed [17] **[17]** MR. BUCKLEY: Yes, we can stipulate to that -anything to the effect that Garrett had ever had contact with [18] [18] **[191** MR. SPEARS: Okay. **[191** David Brooks -- excuse me, David Hooks? MR. BUCKLEY: -- on behalf of the defendants. A No. [20] [20] Q Did you travel from the site of Garrett's arrest MR. SPEARS: Sure, sure. **[211** [21] [22] MR. BUCKLEY: This gentlemen, if he doesn't recall, [22] back to the Law Enforcement Center with Chris Brewer? he doesn't recall. A I believe so. [23] [23] Q I realize -- I think you've already kind of Q MR. SPEARS: Did -- if we go back to the [24] [24] lockbox, the one that I would say, is it Number 33? indicated you went out there together? [25] [25] Page 30 Page 32 A Uh-huh, (affirmative). A Right. Right. [1] [1] Did you ever see it opened at any time? Q Okay. And Garrett wasn't in your vehicle was he, **[21 [21** A Probably. I mean, I was there through the whole as you came back to the Law Enforcement Center? [3] [3] thing. And when I say "there" a lot of times we just go at A I don't think so. [4] [4] least two together. So, I mean, I was there. I'm sure I did Q Do you recall anything that Chris Brewer said about [5] **[51** see it opened. I don't recall specifically but --[6] [6] what you, as investigators with the Drug Unit, had or what Q At any time while you were -- and I know that you should be done? [7] [7] had conversations off and on with Chris Brewer that evening A I do not. [8] **[81** [9] both before the search warrant was sought and then after it [9] Q On your return to the Law Enforcement Center, what was obtained. Can you recall Chris Brewer ever reporting to do you recall being the first thing that you did? [10] [10] you that Garrett had claimed that he had bought drugs from A I have no clue. I don't remember. I really didn't [11] [11] David Hooks? do much of anything. With Brewer being the case agent, he [12] [12] A Not that I remember. initiated everything; set the plans in motion as far as [13] [13] Q Or that he had seen David Hooks -- "he" being writing a search warrant and contacting, I guess, SRT and the **[141** [14] Garrett -- had seen David Hooks ever dealing, or selling, or magistrate and stuff. I mean, I didn't, I don't know -- I [15] [15]

Q Was it your understanding that Garrett's, the gist [18]

[19] of Garrett's claim was that he went out to the Hooks'

property and in the course of robbing items from the [20]

property, that he came across a bag with what he then learned [21]

[22] later was meth?

A Yes.

Q Best of your knowledge, Garrett never reported ever [24]

[25] having any contact whatsoever with David Hooks did he?

- manufacturing drugs? [16]
- [17] A Not that I remember.

- [23]

- don't remember doing much of anything. I mean, if he, you **[16]**
- know, if he needed me to make a phone call or do something, I [17]
- may have done that. But as far as what I done specifically, **[18]**
- [19] I don't remember.
- Q There was -- maybe I can bracket it this way just [20]
- [21] to kind of confine, you know, a span of time. There's a
- [22] point at which Chris Brewer spoke with the magistrate judge
- about the warrant. [23]
- A Right. [24]
- Q Were you present for that discussion with the

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	magistrate?		remember from what phone.
[1]	A When we met the judge and got the warrant signed?	[1]	Q Best of your recollection was of the officers
[3]	Q That's the kind of thing I'm asking about. I don't	[3]	present of the three officers that were present in the
[4]	know one way or another whether you were present with him as	[4]	room once you arrived, was Chris Brewer the only officer
[5]	he met with the magistrate. Do you recall whether you were	[5]	speaking to Faircloth?
[6]	one way or the other?	[6]	A Best I remember.
[7]	A There's been literally hundreds of search warrants	[7]	Q Do you recall that Faircloth told Brewer at some
[8]	signed. I've been there on some and some I haven't been	[8]	point in the conversation that he did not think that he had
[9]	there.	[9]	enough to show that there would be drugs inside the
[10]	Can I look at his report or something? I mean, I don't	[10]	residence?
[11]	know whether for sure I was with him or not. Do you know	[11]	MR. BUCKLEY: Object to the form of the question.
[12]	where we got it signed?	[12]	You may answer.
[13]	Q Please understand, this isn't a test with a right	[13]	A THE WITNESS: I think yeah. I believe that's
[14]	or wrong answer,	[14]	I think that's about when I walked in. That was one of the
[15]	A No, I understand that. I just don't remember.	[15]	first things and then yes.
[16]	Q I'm not saying that there is a definitive right or	[16]	Q And then do you recall that Chris Brewer then told
[17]	wrong	[17]	Faircloth about the grams of meth and scales that according
[18]	A Yeah. No. I understand that.	[18]	to Garrett had been found in a truck at the residence?
[19]	Q because I don't know either.	[19]	A Uh-huh, (affirmative).
[20]	A I just don't remember.	[20]	MR. BUCKLEY: You have to say "yes" or "no". The
[21]	Q Okay.	[21]	court reporter
[22]	MR. BUCKLEY: You can say, "I don't know," and then	[22]	A THE WITNESS: Oh, yes, sorry.
[23]	if he wants to	[23]	Q Was there ever any point in time in which you heard
[24]	THE WITNESS: Yeah, that's fine	[24]	Brewer represent or state to Faircloth information along the
[25]	MR. BUCKLEY: show you a document to refresh you	[25]	lines that there was specific information to the effect that
	,		·
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[1]	he can. "I don't know" is a fine answer.	[1]	drugs were known to be in the house?
[2]	A THE WITNESS: I just flat don't remember.	[2]	A Not that I remember.
[3]	Q There was a point in time before the signing of the	[3]	Q The presence of the scales and meth assuming
[4]	warrant by the magistrate that a conversation was had over a	[4]	that Garrett's at that time you're assuming that Garrett's
[5]	speaker phone with Brandon Faircloth.	[5]	claim about where he found or came into possession of the
[6]	A Uh-huh, (affirmative).	[6]	meth and scales is accurate
[7]	Q Do you recall that?	[7]	MR. BUCKLEY: Objection to the form of the
[8]	A Uh-huh, (affirmative).	[8]	question.
[9]	Q And am I correct in understanding that while you	[9]	Q MR. SPEARS: that is to say he's telling the
[10]	may not have been in Deputy Padgett's office when that call	[10]	truth. Well, did you assume that Garrett was telling the
[11]	started that you nonetheless, came into that office as the	[11]	truth?
[12]	call was taking place?	[12]	MR. BUCKLEY: Same objection.
[13]	A That's right.	[13]	A THE WITNESS: Yeah, I mean, at that point, I
[14]	Q Okay. And the persons present that you can recall,	[14]	assumed so.
[15]	did they include Brewer, Padgett, and then yourself as the	[15]	Q Okay. And insofar as assuming that he's telling
[16]	third officer in the room?	[16]	you the truth, was that based on any other information you
[17]	A Uh-huh, (affirmative). I think that's all.	[17]	had about Garrett other than that he's now in custody and
[18]	Q Best to your knowledge, was the only person on the	[18]	he's talking?
[19]	other end of the conversation, if you will, Brandon	[19]	A No.
[20]	Faircloth?	[20]	Q Okay. So realizing that we I'll phrase the
[21]	A Yes.	[21]	question this way. Assuming that Garrett is telling the
[22]	Q Okay. As I understand it, the call was placed	[22]	truth that he found scales and meth in a truck adjacent to
[23]	using Chris Brewer's cell phone. Is that how you recall it	[23]	the property of David Hooks, in your mind, what about that
[24]	or do you know one way or another?	[24]	reflected that inside of David Hooks' home there would be any
[25]	A I remember it was on speaker phone but I don't	[25]	drugs?

Case 3:16-cv-00023-DHB-BKE Document 83-1 Filed 05/25/17 Page 11 of 28 TERESA HOOKS, ET AL. vs. TIM BURRIS Page 37 Page 39 MR. BUCKLEY: Same objection. that if there's drugs found right outside the house, you [1] [1] A THE WITNESS: When you say the truck adjacent to [2] [2] have, you know, a previous story that corroborates this, then the home, I don't remember where the -- at that particular there's reason to believe there may be some in the house [3] [3] time where the vehicle was. From the way I remember it, the [4] Γ**4**1 actual drugs that Garrett said he took was not in this Q The corroboration was only the implication of the **[51 [51** vehicle. Right? Or rather it was in some other vehicle he name David Hooks. Right? [6] [6] went through and then left in this vehicle. Α Sir? [7] [7] Q Yeah. MR. BUCKLEY: Object to the question. T81 [8] MR. BUCKLEY: For the record, he's pointing to 31. Q MR. SPEARS: The corroboration was just the [9] [9] Q MR. SPEARS: I think that that's -indication of the name David Hooks. Frazier mentions David [10] [10] A Not the Aviator. Hooks. Right? [11] [11] Q -- the understanding. A Right. [12] [12] A At this particular point, I don't remember whether Q And between October of 2009 and September 24, 2014, [13] [13] he said that the vehicle that he originally took the drugs there's no other information that you have so far of any **[141 [14]** [15] out of was positioned. I couldn't tell you at this point [15] relationship between David Hooks and drugs. Correct? [16] what Garrett said or didn't say. So I don't remember. I [16] MR. BUCKLEY: Object to the form of the question. MR. SPEARS: Correct? guess what I'm saying is I have no way of knowing what I was Q [17] [17] thinking at that particular time because I don't remember Me, personally, to my knowledge, no. [18] [18] Α [19] what he said at this point. I don't --[19] Q Okay. And you're unaware of the Drug Unit having Q Okay. Assuming for the sake of my question that other information of it either. Correct? **[201** [20] [21] Garrett has reported to Chris Brewer, and you're then told MR. BUCKLEY: Same objection. Γ211 **[22]** whether by Brewer or Garrett, that Garrett took scales and [22] A THE WITNESS: Like I said me, personally, no, and I meth from the vehicle adjacent to Hooks' residence. don't know what they knew or heard between now and then --[23] [23] What, in that information, would indicate to you that Okay. Fair enough. [24] [24] there were any drugs inside of David Hooks' home? -- then and now. [25] **[25]** Page 38 Page 40 MR. BUCKLEY: Object to the form of the question. Q And the Frazier information didn't link anything [1] [1] about David Hooks and drugs and there being drugs in his [2] A THE WITNESS: To me, if I'd gotten that [2] information, I would of course relate it to the information home. Did they? That information didn't say anything --[3] [3]

I'd received previously during the Frazier case. So, to me, [4]

that would kind of corroborate that. And then if there's **[51** 

[6] drugs on the property then, you know, I think it's safe to

consider if there's drugs outside there may be drugs inside [7]

or proceeds thereof or, you know, items for distribution, or **[81** 

[9] packaging, or, you know. If those items are outside the

residence, I'd feel it's safe to consider they're also inside [10]

the residence. [11]

Q Without knowing anything more about David Hooks [12]

then you did then, how can you be safe in concluding that [13]

there would be drugs found in the home on the strength of **[141** 

there having been one uncorroborated report from Jeffrey [15]

Frazier in 2009 that he had distributed to Hooks and now a [16]

[17] report that drugs were found in the vehicle?

MR. BUCKLEY: Object to the form. Argumentative.

You may respond. [19]

[18]

**[22]** 

Q MR. SPEARS: So how does that mean there's going to [20]

be anything in the house? [21]

MR. BUCKLEY: Same objection.

A THE WITNESS: I mean, it don't necessarily mean [23]

for certain there is going to be anything in the house. But [24]

[25] like I said, in my mind I feel like it's safe to consider

- A Well, it linked David Hooks and drugs, but not [4]
- drugs in the home. [5]
- [6] Q Right. Right. So by itself it doesn't mean that
- [7] in 2009 David Hooks had any illegal drugs in his home. Did
- [8] it?

[9] MR. BUCKLEY: Object to the form.

A THE WITNESS: No. [10]

Q Okay. So as of that -- I mean we're just building [11]

blocks here. As of October, 2009, there's no information to [12]

the effect that David Hooks has any drugs in his home. [13]

Correct? [14]

A In his home? No. T151

Q And as of the Garrett report, there's no [16]

[17] information to the effect that David Hooks has any drugs in

his home. Correct? [18]

MR. BUCKLEY: Object to the form. Asked and **[19]** 

answered. [20]

A THE WITNESS: Inside? No. [21]

Q As of the report that was received from Garrett

about his theft of the Hooks' home, to the best of your [23]

knowledge, did you or any of the other -- or Chris Brewer [24]

[25] have any information to the effect of who had been driving

[22]

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[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13] [14] [15] [16] [17] [18] [19] [20] [21] [22] [23] [24] [25]	the truck within the last day or so? Before the 24th?  A Not that I know of.  Q Or who had placed the scales in the truck, assuming that they were even found there?  A I don't know.  Q Or who had placed the meth into the truck, even assuming that that's where Garrett got it?  A I don't know.  Q Or whether David Hooks, himself, had even been in the truck in the 24 hours before say 9:00 o'clock at night on the 24th?  A I don't know.  Q During the conference call conversation between Chris Brewer and Faircloth, am I correct in understanding that Brewer made specific reference to the Frazier case the Jeff Frazier case?  A Specifically? I don't remember but I would think so.  Q And then the Frazier case that you're familiar with is the one in 2009. Correct?  A Yes.  Q And do you recall the fact that the Frazier case was one that was undertaken in 2009 was discussed with Faircloth? Was it not?  MR. BUCKLEY: Object to the form of the question.	[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13] [14] [15] [16] [17] [18] [19] [20] [21] [22] [23] [24] [25]	A All right.  Q in the recordings. (PORTION OF AUDIO RECORDING BEING PLAYED.)  Q MR. SPEARS: Okay, Mr. Burris, what I wanted to know it's towards the end and see if it sounds like it's the end of it. I'm not going to specifically quiz about it because I'm really just trying to have this be a part of our record.  A Okay.  Q Did you recognize your voice as the person who self-identified as Tim Burris?  A Yes.  Q And just so you know, the title of this is simply "Tim Burris Interview." And then there will be one, I think, just called "Tim Burris" as a second file on this disc. Okay?  A (Nodding head affirmatively.)  Q I'll go to the end now so you can hear that and I'll go to time. It's just on the time imprint it's 10:30 10 minutes and 36, 35 seconds. (PORTION OF AUDIO RECORDING BEING PLAYED.)  Q MR. SPEARS: Were you able to hear your voice at the very end there?  A Yes.  Q Are you able to tell us, then that you recognize
	Page 42		Page 44
[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12]	A THE WITNESS: It would have been the only case I know of we worked on Frazier. So it would have had to have been that case.  Q What I'm trying to understand is whether or not, per your observations, the fact that the Frazier investigation had taken place in that specific year of 2009 was a fact that was communicated to Brandon Faircloth?  MR. BUCKLEY: Object to form.  A THE WITNESS: I do not remember.  MR. SPEARS: Let's go off the record for a minute.  (OFF THE RECORD)  Q MR. SPEARS: Mr. Burris, what I'm about to do is to play you portions of what have been told us to be audio	[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13]	this as a copy of the audio recording of your interview with Agent Jerry Jones, September the 25th, 2014?  A Yes.  Q The next audio file that I have is entitled simply "Tim Burris." It doesn't have the word interview. I'll start it and let us know if you recognize it.  (PORTION OF AUDIO RECORDING BEING PLAYED.)  Q MR. SPEARS: Mr. Burris, do you recognize that as the audio recording of your interview with Agent Giddens of the GBI?  A I do.  MR. SPEARS: I'm going to mark this with sticker 34. I'll just leave it with the court reporter.

given two. One was done on October 2nd, 2014. Another was [15]

[16] done in the early morning hours of September 25th, 2014,

which, actually, I think was the longer one. The one with [17]

Giddens is the one October 2nd. [18]

[19] Anyhow, I wanted to be able to let you hear the voices

and let us know if you recognize them as that interview. [20]

Then if I have any other questions, I'll ask. But that'll [21]

give us a way to get it identified. [22]

[23]

Q I'll start with one and I think we'll be able to [24]

tell which of the two it is. I don't have them dated --[25]

- th
- .)

Q MR. SPEARS: Were you aware of there having been [15] [16] any steps taken by Chris Brewer, or yourself, or any other

members of the Drug Unit to investigate whether Garrett's [17]

possession of the meth or the scales was a result of him [18]

[19] having gotten them from any location other than Hooks?

A Not that I know of. [20]

[21] Q As of that conversation with Faircloth, were you

aware that Garrett had been in the last month and a half or [22]

so -- and I'm approximating because I don't know the exact [23]

dates -- but in the month a half or so before September 24th, [24]

2014, he'd been arrested a number of times? He'd been

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[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13] [14] [15] [16] [17] [18] [19] [20] [21] [22] [23] [24] [25]	reported as having been possibly involved in attempted theft from another vehicle and his family was begging him to turn himself in? Were you aware of any of that?  A This is Garrett?  Q This is Garrett.  A I may have been aware of it at the time but I don't remember now.  Q Okay. Did you, yourself, look at the warrant application that was actually signed by Chris Brewer and provided to the magistrate judge?  A Probably. I can't say for certain.  Q When you say, "probably", in all fairness is that a guesstimate or do you specifically recall seeing it?  A I can tell you a lot of times we do. We'll read them behind each other, for one, just to check for any errors and make sure everything sounds all right or whatever. We'll just check behind each other. That's why I say probably. I do not specifically recall looking through his application.  Q Okay. Do you have any understanding as to why Chris Brewer in the warrant application did not recite in that application that the Frazier investigation had been undertaken in calendar year 2009?  MR. BUCKLEY: Object to the form of the question. You may respond.  A THE WITNESS: No, sir.	[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13] [14] [15] [16] [17] [18] [19] [20] [21] [22] [23] [24] [25]	Q Am I correct in with respect to your investigation of Frazier, Jeff Frazier, as I recall it from the investigative materials, Frazier was claiming he was picking up a quarter of a pound of meth and then distributing it. Do you recall that?  A I mean, that sounds right. I don't know the specifics, but, yeah.  Q In relative terms, a quarter of pound of meth is a heck of a lot more than 20 grams. Isn't it?  A Yes, over four times as much.  Q Before officers from SRT went to the Hooks' home, there was a briefing, was there not?  A Yes, there always is. I don't specifically recall it but there's always a briefing before a search warrant is executed.  Q Okay. Before the execution of the search warrant at Frazier's home, you had prepared an operations plan, had you not?  A Well, I'm sure one was done. I don't I think back then I may have prepared that one. Things changed as to how OPs plans were prepared. So if I prepared that one then, yes.  Q Like I said, this isn't a true or false  A Right.  Q type thing. Let me see if I can find it.
	Page 46		Page 40
	·		Page 48
[1]	Q Sitting here today, are you aware that the warrant	[1]	(DOCUMENT MARKED PLAINTIFF'S EXHIBIT NO. 35.)
[2]	application did not reflect the date of the Frazier	[2]	Q MR. SPEARS: I'm showing you a document that we've
[3]	investigation?	[3]	been provided with. It's got an exhibit sticker on it,

- A No, sir. [4] You would agree with me, would you not, that the **[51** relative recency of information of drug activity is a [6] valuable piece of information when it comes to determining [7] whether or not there's current drug activity taking place? **[81** MR. BUCKLEY: Object to the form. [9] A THE WITNESS: Yes. [10] It's valuable. It's not determinative, maybe, but
- it's something that is useful for an agent, certainly, to [12] take into account. Correct? [13] A Yes. **[14]** Q As well as it would be for a judicial officer [15] deciding whether or not there's probable cause. Right? [16] MR. BUCKLEY: Object to the form. [17]
- A THE WITNESS: Yes. **[181**
- [19] In your interview with Giddens, I believe that you referred to the volume or weight of the meth that Garrett had
- [20]
- as being somewhere around 20 grams. Correct? [21]
- [22] A Yeah. I heard that.
- Q And that's an amount that's less than an ounce. [23]
- Correct? [24]

[11]

A Yes. [25]

- .)
- /e
- Exhibit 35. And I'll ask you to take a look at it and answer [4]
- -- excuse me. Once you've had a chance to look through it, [5]
- [6] let us know whether these pages appear to be a true and
- [7] accurate copy of the operations plan that was prepared in October of 2009, listing you as the case agent, supervisor [8]
- [9] Chris Brewer. This being an operations plan pertaining to
- the execution of search warrant at the home of Jeff Frazier? [10]
- A It is. [11]
- Q Are you aware of there having come a point in time [12]
- between October of 2009 and September of 2014 where the [13]
- practice on the part of the Drug Unit to prepare an [14]
- operations plan was ended? [15]
- Uh-huh, (affirmative). [16]
- Q Please tell me what that was. [17]
- A As SRT became established and started executing the [18]
- [19] search warrants, I felt like since the information in here --
- [20] as far as, like you'll see on the back page, who is doing
- [21] what, as far as tactical operations and stuff like that, that
- [22] was strictly under the SRT's guides. They handled all of
- that. That was aside from the Drug Unit. They did all the [23]
- tactical part. So I decided that I felt like since they were [24]
- [25] handling all that, then if they wanted to prepare an OPs plan
- Min-U-Script®

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that was, you know, up to them. [1]

- In other words, it wasn't for me to sit there and write [2]
- this OPs plan to say what SRT was going to do when I had no [3]
- dealings with what SRT was going to do. That was, you know, Γ**4**1
- left up to the SRT commander. **[51**
- So I think around, about that time, it was decided that [6]
- from then on if an OPs plan was warranted or needed then SRT [7]
- would do their own. That was sometime after this though T81
- because this looks like one of the ones that I prepared. [9]
- [10] Q Okay.
- A I'm not even sure what theirs looked like. [11]
- [12] Q Let's go back to the point in time of the briefing,
- [13] at least that time frame.
- A Uh-huh, (affirmative). **[14]**
- [15] Q Can you give us any information about any
- [16] understanding you had at that time for immediacy in getting
- to the Hooks' home? And by that, I mean, of course, the [17]
- search. [18]
- [19] A Right. Yeah. I don't recall any specific thing
- being said, or I don't know. I don't recall anything about **[201**
- [21] that.
- [22] Q With respect to -- let's go to some information
- other information we have about Frazier. Give me just a [23]
- couple minutes to look. [24]
- MR. SPEARS: We can go off the record. [25]

- information from a reliable informant on August the 10th. [1]
- Correct? [2]
- A Yes. [3]
- [4] Q And then on that same day, that is to say August
- 11th, that's the day on which a controlled purchase is set **[51**
- up? [6]
- **[71** A Yes.
- Q And Sergeant Brewer and yourself, you were both [8]
- involved in the logistics of that controlled buy. Correct? [9]
- [10]
- Q On page, on the following page -- and sometimes I [11]
- might refer to these numbers that we put on there --[12]
- A Okay. [13]
- Q -- so you have sense of that. The next one is **[14]**
- [15] #206. We have a buy number two on August 14th. You see
- [16] that?
- A Yes. [17]
- Q And that again is one in which you and Sergeant [18]
- [19] Brewer were meeting with this source, --
- A Yes. [20]
- Q -- number one, and arrangements were being made for Γ211
- [22] a controlled buy?
- A Right. [23]
- Q And then on, let's see, the buy number three, if we [24]
- go over to page 207, the third full paragraph on that page, **[25]**

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- (OFF THE RECORD) [1]
- (DOCUMENT MARKED PLAINTIFF'S EXHIBIT NO. 36.) **[21**
- Q MR. SPEARS: Could you please take a look at [3]
- Exhibit 36 and after you've had a chance to do so, let me [4]
- know whether or not you recognize that as a photocopy of the **[51**
- [6] investigator's narrative that you prepared summarizing
- investigative steps taken in connection with the [7] investigation into Jeffrey Frazier and his selling of
- [9] methamphetamines?
- A Yes. [10]

**[81** 

- Q The second paragraph refers to Sergeant Chris [11]
- Brewer with you and he meeting Source #1. Source #1, that [12]
- again is the undercover agent, or person, whoever that was? [13]
- A Right. **[14]**
- Q Yeah. I'm not asking for the name --[15]
- A Right. [16]
- Q -- I just want to be sure --[17]
- A Yes. Yes. **[181**
- [19] Q -- that we're talking about the same one that we
- talked about before. Same suspect or source one? [20]
- A Yes. Yes. [21]
- [22] Q And, let's see, as I understand it, Brewer was
- involved in the investigation -- well, let's see. You listed [23]
- this as a meeting on August 11th. He's involved in the [24]
- [25] investigation the very next day after your initial

it appears that Sergeant Brewer was involved on August the [11

20th, 2009, with a meeting with Source #1. Phone call was

- being made to Frazier at the time to arrange another [3]
- purchase. Γ**4**1

**[21** 

- A Yes. I'm trying to see. Yes. [5]
- Q Thank you. There's a buy number four that's [6]
- described on page 208. If you look at the paragraph that [7]
- begins with the phrase, "On Monday, August 24th, 2009, at [8]
- approximately 11:36, Sergeant Brewer and I met with Source
- [9]
- #1." That again were arrangements pertaining to another [10]
- controlled purchase. Correct? [11]
- A Yes. [12]
- Q Had Sergeant Brewer been involved meeting not only [13]
- with Source #1 but also with other deputies? [14]
- A Yeah. The other two members of the Drug Unit. [15]
- Q Were those Payne and Jackson? [16]
- A Yes. [17]
- Q And on page, what we've marked 209, there's a **[18]**
- [19] description of drug buy number five with the second paragraph
- [20] there referring to, "On August 28th, 2009, purchase of an
- [21] ounce from Jeff Frazier."
- [22] I think I have that right. We have Sergeant Brewer,
- Brian Scarborough, Corporal Vertin, others --[23]
- A Right. [24]
- [25] Q -- were there to prepare for the controlled

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- directly involved once again with that arrangement? [1]
- A Yes. [2]
- Q We'll go to the next page. Buy number seven is [3]
- described on page 211. [4]
- A Uh-huh, (affirmative). **[51**
- [6] Q On September 23rd, 2009, that again involved a
- controlled purchase and Sergeant Brewer was involved? [7]
- A Yes. **[81**
- [9] Q And the next buy is on October the 21st, buy number
- eight? [10]
- A Yes. [11]
- Q And that, again, is one that involved Sergeant [12]
- Brewer being involved not only generally in the case but also [13]
- being positioned in the woods across from Frazier's **[14]**
- residence? [15]
- A Correct. [16]
- [17] Q So of those eight controlled buys, Chris Brewer was
- involved as a participating officer in each of the purchases? [18]
- [19] A Yes.
- Q Now once Frazier was arrested, and I'm now looking [20]
- at page 212, --[21]
- [22] A Okay.
- Q -- in the second full paragraph that begins with [23]
- the phrase, "On October 22nd, 2009" --[24]
- [25] A Uh-huh, (affirmative).

- A Uh-huh, (affirmative). [1]
- That he didn't have any dope and he didn't have any **[21**
- guns at his home. Correct? [3]
- A Right. [4]
- Q Frazier's already a convicted felon. He can't have [5]
- guns in his custody, can he? [6]
- [7] A I believe that's right.
- Q So it's illegal for him to have them at the home [8]
- [9] but in fact, once the search is done on his home, guns are
- found. Correct? [10]
- A I think so. Yeah. [11]
- Q So you knew as of the point that the guns were [12]
- found that Frazier's already lying to you. [13]
- A Right. [14]
- Q Was there any discussion that you can remember --[15]
- and this is one of those things where, of course, there's no [16]
- [17] recording of it -- but any discussion with Faircloth to the
- effect that the information that Frazier had been giving you **[18]**
- [19] in 2009 included outright lies?
- MR. BUCKLEY: Object to the form. [20]
- A THE WITNESS: No. [21]
- Q In the -- again looking at your report, in the **[22]**
- description of what you're learning or being told by Frazier, [23]
- Frazier claims that there's a Frank Demonte who kept his meth **[24]**
- [25] for him. Something like that?

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[1]	A Yeah, he said that at some point.	[1]	Q Can you recall there ever being a point in time at
[2]	Q Demonte, he eventually gets arrested. Right?	[2]	which Mr. Faircloth was informed of the arrest and conviction
[3]	A Yes.	[3]	history of Frazier?
[4]	Q Was there anyone as directly and intimately	[4]	A I don't remember.
[5]	involved in the investigation into Frazier was there	[5]	Q Or of Garrett?
[6]	anyone as involved as you, other than Brewer? And of course,	[6]	A Not that I remember.
[7]	Subject #1?	[7]	Q Following Jeff Frazier's arrest, do you recall that
[8]	A No.	[8]	there were occasions when I don't know how many, actually
[9]	(DOCUMENT MARKED PLAINTIFF'S EXHIBIT NO. 42.)	[9]	but there were times when he was interviewed at the jail?
[10]	Q MR. SPEARS: One of the documents I gave you was	[10]	Frazier was?
[11]	Exhibit 42. Can you take a look at that?	[11]	A I'm sure he was. I don't recall specifically.
[12]	A Yeah, the seizure document.	[12]	Q Do you now I could do you recall that during
[13]	Q After looking at it for a moment, can you tell me	[13]	the course of your contact with Jeff Frazier following his
[14]	whether you recognize it as a copy of a Notice of Seizure	[14]	arrest that he claimed, among other things, that there were
[15]	that you signed as the requesting officer that reflected that	[15]	other persons to whom he was supplying drugs?
[16]	at the Frazier home among the things that were seized were	[16]	A Yes.
[17]	weapons and vehicles?	[17]	Q Do you remember the name of Mark Rogers?
[18]	A Yes.	[18]	A Not specifically.
[19]	(DOCUMENT MARKED PLAINTIFF'S EXHIBIT NO. 40.)	[19]	Q How about a Greg Warren?
[20]	Q MR. SPEARS: If you could, please, take a look at	[20]	A Not specifically.
[21]	Exhibit 40. It's the single sheet there.	[21]	Q Do you recall that Frazier claimed that David Hooks
[22]	A Yes.	[22]	had friends in the sheriff's department who could find out
[23]	Q This is a part of the file materials that we were	[23]	things before they happened?
	provided Am Learnest in understanding that Exhibit 10 is a		
[24]	provided. Am I correct in understanding that Exhibit 40 is a	[24]	A I don't specifically recall that particular
[24]	summarization of the controlled purchases that were	[24]	A I don't specifically recall that particular statement.
	·		
[25]	summarization of the controlled purchases that were  Page 58	[25]	statement. Page 60
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[23]

[24]

[25]

[22] A Right.

A Yes.

[22] recognize those as photocopies of the arrest and conviction

of his arrest and prosecution?

A Yes.

[25]

record that was pulled on Jeff Frazier at or about the time

Q And he, personally, completed the contents of the

search warrant affidavit application?

Case 3:16-cv-00023-DHB-BKE Document 83-1 Filed 05/25/17 Page 17 of 28 TERESA HOOKS, ET AL. vs. TIM BURRIS Page 61 Page 63 Q And made the decision to seek the search warrant? [1] [1] as you come up the driveway, I believe you go just around the A Yes. left side of the house, around to the back, and that's where [2] [2] Q To the best of your knowledge, he initiated the the carport was. SRT pulled straight up kind of to the left [3] [3] [4] contact with Brandon Faircloth? [4] of the house and left of the carport. So when our vehicle A When I walked into the office, that conversation stopped, we were directly to the left side of the house. If **[51 [51** was ongoing so --I stepped out of the vehicle and looked straight to the [6] [6] Q Yes. right, I seen the complete side of the house. [7] [7] Α -- I don't know who initially called him. Q That would be the side that would be parallel to T81 [8] Q Can you think of anyone other than Chris Brewer who 319? [9] [9] initiated contact with, I forget his first name, Stokes? A That's correct. Yes. Parallel to 319, if I got [10] [10] A Brian Stokes, SRT Commander. my bearings are right. [11] [11] [12] Q Head of the SRT. As far as you know, was Mr. [12] Q Yeah. I don't know myself. A The front facing the pond. The left facing the Brewer the officer directly responsible for that? [13] [13] A As far as I know. That's not to say, I definitely driveway. We were on the left. **[14] [14]** [15] didn't. I mean, if he was in his office, I was in mine. [15] As I stepped out on the right side of the vehicle, as [16] He'd say, "Hey, call Stokes and get them on the way." You [16] they were knocking and announcing and -- glass broke shortly know, I might have made the phone call. I don't know. [17] after and then I heard the shots firing and the -- sounded [17] Q But as between yourself and Brewer, Brewer being [18] [18] like plastic or vinyl or whatever, falling at the front of [19] your supervisor, it would have been his call to --**[191** the residence and maybe even up in the boxing around the top A Yes. Yes. edge of the residence -- somewhere in that area is what it [20] [20] Q -- make. And by "call" I mean decision to make. [21] sounded like to me. I didn't go back up to the residence and [21] [22] A Right. Yes. [22] look to see where any of that actually happened but that's (OFF THE RECORD) just what it sounded like. Right there at the front corner, [23] [23] Q MR. SPEARS: Based on materials that we've been maybe out over the front porch, and the corner kind of close [24] [24] provided in the last few weeks, it appears that in the wake [25] [25] to where I was standing. Page 62 Page 64 Q Could you see any of the debris as it was being of David Hooks' death, Chris Brewer prepared a list of [1] [1] [2] persons dealing drugs, who had claimed to have had some [2] blown off the house? connection to David Hooks, and gave that list to a GBI agent. A No, sir. I was focused on taking cover and could [3] [3] Are you familiar with that list? hear it falling. [4] [4] MR. BUCKLEY: I'll object to the form of the Q Uh-huh, (affirmative). [5] **[51** [6] question. You may answer. **[61** A I didn't see anything because at this time, I was

- A THE WITNESS: No, sir. [7] Q Are you familiar with any such list being prepared **[81**
- [9] A No, sir. I don't think there's been a couple of --[10]
- my employment with the sheriff's office ran through December [11] of that year; however, I had, like, three months of time [12]
- [13] built up. So not long after this occurred, I actually left
- the sheriff's office and ran out my time. So a lot of what **[14]**
- happened after that night and since then, I don't know about. [15]
- Q At the Hooks' home when you traveled there as the [16] [17] SRT was going out to the home, am I correct in understanding
- that you were positioned somewhere relatively close to the **[18]**
- [19] residence?
- A Yes. [20]
- Q Can you describe for me the observations you made [21]
- of the bullets coming through the house? [22]
- A Yeah. That part stands out. I pulled up with [23]
- [24] Sergeant Brewer. I rode with -- me and him -- so, actually,
- Sergeant Brewer pulled up behind SRT's vehicle. We were --[25]

- between the truck and the house. So when I heard everything [7]
- taking place, my line was around the truck to gain cover. So **F81**
- [9] I was actually looking away from the house at the time I
- started hearing the sounds. [10]
- Q Did you have a collar or lapel mic on your uniform [11]
- at that time? [12]
- A Did I? [13]
- Q Yeah. [14]
- Α No, sir. [15]
- Q Was there a way in which you, as an officer outside [16]
- [17] of a vehicle, was there a way in which you had any radio
- communication to you where you were? **[18]**
- A I don't recall if I had my radio on my side that **[19]**
- night or not. Normally, I probably didn't, being right there [20]
- in close proximity with Sergeant Brewer and the rest of the [21]
- [22] unit and with the truck because I would have -- my cover
- would have been pretty much at that truck until SRT gave the [23]
- all clear. [24]
- [25] Q In terms of what you can recall, what I'm trying to

Case 3:16-cv-00023-DHB-BKE Document 83-1 Filed 05/25/17 Page 18 of 28 TERESA HOOKS, ET AL. vs. TIM BURRIS CHRISTOPHER BREWER, ET AL. Page 65 Page 67 get a sense of is whether you could hear any of the radio kind of extenuating circumstances. If we were -- I don't [1] [1] even remember one right off that they didn't execute, communications as they occurred between officers and before [2] [2] the shooting occurred. And of course, the time period I'm [3] actually. [3] [4] talking about is really while folks are driving out and once [4] MR. SPEARS: Let's take a break. they get to the house before? (BREAK) **[51 [51** Q MR. SPEARS: Referring your attention to Exhibit A The only thing I remember hearing over an audible [6] [6] radio, and I do not recall whose it was, is "Bring EMS." **[71** 41. After you've had an opportunity to take a look at it, [7] That's the only thing I recall hearing over a radio because could you, please, let me know whether or not you recognize T81 [8] this as a photocopy of the investigator's narrative that was once the shots were fired and everything quieted, of course, [9] [9] you know, I'm heightened and I'm listening to see what's signed off on on page two by Sergeant Chris Brewer in [10] [10] next. And it's, you know, what has happened? connection with his participation in the investigation of and [11] [11] And I remember "We need EMS." Something to that effect. the arrest of Jeff Frazier? [12] [12] It might not have been those exact words. They were calling A Oh, you gave me both of them. That's probably why [13] [13] you didn't find yours. You gave me your copy, too. EMS to come into the house. So as far as the radio, that's **[14] [14]** [15] the only traffic I remember. [15] [16] Q In thinking about the occasions in which you've [16] A I can tell you it looks like a report that Sergeant been present for the execution of a search warrant for drugs, Brewer did sign off on. That's all I can think because I [17] [17] can you think of any other case where the report of the [18] [18] don't recall ever seeing the original so I wouldn't know what [19] potential presence -- if I can call it that way -- the **[191** it said. But this does look like a report that Sergeant potential presence of drugs at a particular location happens? Brewer done. **[201** [20] [21] That is to say the report of it happens, and then the a Q And it would have been common practice for other [21] [22] search warrant is obtained and executed within a comparable [22] investigators participating in your investigation such as the span of time as with Hooks? one with Jeff Frazier to prepare narratives that would go [23] [23] A Yeah. I believe so. I believe, I mean, it wasn't along with your overall report that in turn would be provided [24] [24] [25] uncommon for us to get the information and go ahead and act **[25]** to the district attorney's office? Page 66

Page 68

- on it. That wasn't an uncommon thing. [1]
- **[21** Q Okay. Can you think of any particular cases where
- it was that short? [3]
- A I can't --Γ**4**1
- And short, of course, is my term. I realize. And Q **[51**
- [6] with Frazier, obviously, it went on for months and months.
- A Right. [7]
- Q I just wondered if there's any way to say it's **[81**
- [9] common or uncommon for the execution to happen that quickly?
- A I mean, I can't give you a specific name right, [10]
- sitting right here, right now. But I don't -- I wouldn't [11]
- think it was, you know, uncommon for us to act on the [12]
- information as we received it, even to the point of going [13]
- ahead and, you know, serving a warrant. **[141**
- Q Uh-huh, (affirmative). [15]
- A That didn't stand out as uncommon to me. [16]
- [17] Q As of September of 2014, in your experience insofar
- as search warrants for drugs, was the SRT summoned to [18]
- participate in the securing of the location for all drug [19]
- search warrants? [20]
- A I believe so. We were told that once they got [21]
- established and running about the same time I was speaking of [22]
- the OP plan situation earlier; we were told that from that [23]
- [24] point forward when we OPed a search warrant that SRT would
- [25] pretty much be the ones executing it, unless there was some

- A Yes. Uh-huh, (affirmative). [1]
- Q While you were out at the Hooks' residence, Hooks' **[21**
- home, on the night that David died, was there any time at [3]
- which you saw Teresa Hooks outside of the home? [4]
- A I did briefly, I believe. I think it was her. She [5]
- **Г**61 was brought out the residence and sat on the thing. There
- was something out back. I don't know. I don't know if it [7]
- [8] was a little brick wall or something on the other side of the
- [9] carport, maybe, in that area. She was taken to that spot at
- that specific time I seen her. [10]
- After that, when the all clear was given, I went out [11]
- towards the pond and was standing around down there waiting [12]
- on of course, you know, the GBI and everything to finish [13]
- taking place before we could leave the scene. That's the [14]
- only time I recall seeing who I think was her. [15]
- Q Sure. Do you recall whether -- was she in the [16]
- [17] company of a law enforcement officer?
- A I believe so. [18]
- [19] Q Do you recall whether she was in the company of
- more than one when she was -- came out of the house or [20]
- positioned outside of the house? [21]
- [22] A I don't remember.
- Q Okay. Let me ask now about the -- some of the [23]
- operational aspects of the pre-search planning. We've been [24]
- [25] told that the role of the SRT in carrying out a search

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[1]	warrant, a lot has to do with the entry and the securing of	[1]	MR. SPEAR: Those are all my questions. Thank you.
[2]	the premises. Does that sound accurate to you?	[2]	DIRECT EXAMINATION
[3]	A Yes.	[3]	BY MR. BUCKLEY:
[4]	Q Okay. And the SRT folks are drawn from, or can be	[4]	Q Just briefly, Mr. Burris, you earlier said that you
[5]	drawn from different sections or divisions of the sheriff's	[5]	had accrued leave and so shortly after this search was done,
[6]	department. Correct?	[6]	you used your leave to affect a resignation effective January
[7]	A Yes.	[7]	of the next year. Is that right?
[8]	Q Personnel isn't all, you know, drug or any one	[8]	A Right. Yes.
[9]	area?	[9]	Q What, if any role, did this search or what happened
[10]	A No, it's different divisions.	[10]	play in your decision to resign and start your own private
[11]	Q The search warrant that was sought for and obtained	[11]	investigation company?
[12]	for the Hooks' residence, once the premises were secured was	[12]	A It didn't have any bearing on it. I was already in
[13]	the plan that the Drug Unit officers would be the ones	[13]	the process of leaving before any of this took place.
[14]	conducting the actual search of the premises?	[14]	Q Now when Garrett was interviewed and was talking
[15]	A That's the normal. That's the way we normally	[15]	about David Hooks' drug activities alleged strike that.
[16]	operate. The SRT will execute the initial entry, securing of	[16]	When Garret was interviewed and said he had secured drugs
[17]	the residence. Once the all clear is given, the Drug Unit	[17]	from a vehicle at David Hooks' residence, what, if any,
[18]	will come in then and conduct the search and may, you know,	[18]	thought came to your mind about "Well, that's the guy Frazier
[19]	if it's a big place, they may get some of the SRT guys and	[19]	said was involved in drugs"?
[20]	say, "Y'all help conduct the search" or whatever. But that's	[20]	MR. SPEARS: Objection to the form.
[21]	normally how it's divided up.	[21]	Q MR. BUCKLEY: You can answer it.
[22]	Q All right. And realizing with David Hooks having	[22]	A I mean, that that thought, of course, but, I
[23]	been shot then it's a very different kind of picture.	[23]	mean, as I stated earlier, the fact that if there's drugs
[24]	A Right.	[24]	outside, I feel like it's safe to consider there may be drugs
[25]	Q It's always hard to know what would have happened.	[25]	inside as well.
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	Details and a second a second and a second a		O Vou also montioned in vous assessmention by NA
[1]	But absent some extraordinary event like what happened here	[1]	Q You also mentioned in your examination by Mr.
[2]	with Mr. Hooks getting shot, was it your understanding as you	[2]	Spears that you were asked some questions about Garrett's
[3]	went out there with Chris Brewer that once the place was	[3]	criminal history and Frazier's criminal history from before
[4]	secured then our role as the Drug Unit would be to search?	[4]	they were giving their information to the police. You
[5]	A Yes.  O Okay Once David Hooks was shot is it fair to say	[5]	remember those questions?
[6]	COLUMN CONTRACTOR CONT	[6]	A TES

- Q Okay. Once David Hooks was shot, is it fair to say
- that then the -- you understood that there wasn't going to be [7]
- an immediate search of the premises once the premises were **[81**
- [9] secured. You were then waiting on the GBI folks?
- A Right. Once that took place, then like I said, [10]
- once the all clear, everything was calmed down, I went out [11]
- [12] toward the pond and we just kind of waited to see, you know,
- [13] from that point what would happen. And, you know, I assumed
- that the GBI would come in, they would shut down the scene, [14]
- they would take over, and that's what happened. [15]
- Q Right. And there wasn't going to be -- I mean, [16]
- [17] knowing that the GBI folks were going to be the ones coming
- in, then there wasn't --**[18]**
- A We would not be going in. [19]
- Q -- wasn't a search of --[20]
- A No. [21]
- Q -- the Drug Unit folks weren't going to do it? [22]
- [23]
- MR. SHOOK: Can we take a break? [24]
- [25] (BREAK)

- 's

[12]

[13]

- Q How common is it for your sources of information [7]
- about criminal and drug activity to be criminals themselves? [8]
- [9] A A lot more often than not.
- MR. BUCKLEY: Okay. That's all the questions I [10] have. [11]
  - **RECROSS EXAMINATION**

#### BY MR. SPEARS:

- Q With respect to the persons on whom you have relied [14]
- during drug investigations, who themselves have criminal [15]
- histories, if that person, over and above having a criminal [16]
- [17] history, when giving you new information is also lying to you
- about their own drug related activity, you, as an [18]
- investigator take that into account, do you not, in assessing **[19]**
- whether or not you can trust the truthfulness of their [20]
- statements about other people? [21]
- A Yeah. I think a totality of everything is taken [22]
- into consideration. [23]
- Q One factors in whether or not that informant is [24]
- someone who you know for a fact has also been lying to you

	~	
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		CERTIFICATE OF REPORTER
[1]	about other matters?	
[2]	A Right. And I also feel like it does come into play	GEORGIA, BIBB COUNTY;
[3]	a little bit that the fact that when they're lying trying to	I, Laura M. Jackson, CCR, B-959, CERTIFY that acting in
[4]	get out of trouble versus when he's making statements that	such capacity on October 5, 2016, I reported the testimony of TIMOTHY BURRIS, and on the foregoing pages, numbered 5
[5]	are actually incriminating himself. So I put a little weight	through 73, both inclusive, have transcribed a true, accurate
[6]	on that as well. It's the fact of him saying, "I ain't got	and complete transcript of the same.
[7]	no drugs. I don't have no guns." You know, they're lying	I FURTHER CERTIFY that I am not counsel for nor related
[8]	trying to get out of trouble versus the fact of him saying,	to any of the parties; nor am I interested in the event or
[9]	"Yes, I was picking up dope and these are the people I was	the outcome thereof.
10]	taking it to," which, I mean, that's incriminating himself.	WITNESS my hand and official seal this 14th day of
11]	So, you know, I look at that also.	October, 2016.
12]	MR. SPEARS: Okay. Thank you.	
13]	(DEPOSITION CONCLUDED 2:15 P.M.)	
	(DEL COLLION CONCEODED 2:101 :Wi.)	Certificate Number B-959
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	DISCLOSURE	CERTIFICATE OF WITNESS
		IN THE UNITED STATES DISTRICT COURT
	STATE OF GEORGIA,	SOUTHERN DISTRICT OF GEORGIA
	COUNTY OF :	DUBLIN DIVISION
	Deposition of: TIM BURRIS	TERESA POPE HOOKS, ET AL. :
	Downward to Judicle O.D. of the Dules and Demulations of the	PLAINTIFFS, : CASE NO.
	Pursuant to Article 8.B. of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia, I make the following disclosure:	: 3:16CV00023-DHB-BKE VS. :
		vs. :
	I am a Georgia Certified Court Reporter. I am here as a representative of Hawthorne & Webb Court Reporting.	CHRISTOPHER BREWER, ET AL., :
	Hawthorne & Webb Court Reporting was contacted by the offices of Brian Spears to provide court reporting services	DEFENDANTS. :
	Hawthorne & Webb Court Reporting was contacted by the offices of Brian Spears to provide court reporting services for this deposition. Hawthorne & Webb Court Reporting will not be taking this deposition under any contract that is prohibited by O.C.G.A. 15-14-37 (a) and (b).	DEPOSITION OF: TIM BURRIS OCTOBER 5, 2016
	prohibited by O.C.G.A. 15-14-37 (a) and (b).	( )I wish to make the following correction(s):
	Hawthorne & Webb Court Reporting has no contract to provide reporting services with any party to the case, any counsel in the case, or any reporter or reporting agency from whom a referral might have been made to cover this deposition. Hawthorne & Webb Court Reporting will charge its usual and customary rates to all parties in the case, and a financial discount will not be given to any party to this litigation.	PAGE/ LINE/ CORRECTION / REASON
	counsel in the case, or any reporter or reporting agency from whom a referral might have been made to cover this	
	deposition. Hawthorne & Webb Court Reporting will charge its usual and customary rates to all parties in the case, and a	//
	litigation.	
	Dated: October 5, 2016	/
	. CCR R-959	
	Certified Court Reporter , CCR B-959	/
		( )I have read the foregoing pages of my testimony and
		wish to make no corrections.
		Tim Burris
		Sworn to and subscribed before me
		This day of, 2016.
		Notary Public

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